

**STATISTICAL INFORMATION ONLY: Debtor must select the number of each of the following items included in the Plan.**

0 Valuation of Security 0 Assumption of Executory Contract or Unexpired Lease 0 Lien Avoidance

Last revised: December 1, 2017

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY**

In Re:  
Shabnam D. Shah

Case No.: 17-24300

Judge: Sherwood

Debtor(s)

**Chapter 13 Plan and Motions**

☐ Original

☒ Modified/Notice Required

Date: December 6, 2017

☐ Motions Included

☐ Modified/No Notice Required

**THE DEBTOR HAS FILED FOR RELIEF UNDER  
CHAPTER 13 OF THE BANKRUPTCY CODE**

**YOUR RIGHTS MAY BE AFFECTED**

You should have received from the court a separate *Notice of the Hearing on Confirmation of Plan*, which contains the date of the confirmation hearing on the Plan proposed by the Debtor. This document is the actual Plan proposed by the Debtor to adjust debts. You should read these papers carefully and discuss them with your attorney. Anyone who wishes to oppose any provision of this Plan or any motion included in it must file a written objection within the time frame stated in the *Notice*. Your rights may be affected by this plan. Your claim may be reduced, modified, or eliminated. This Plan may be confirmed and become binding, and included motions may be granted without further notice or hearing, unless written objection is filed before the deadline stated in the *Notice*. The Court may confirm this plan, if there are no timely filed objections, without further notice. See Bankruptcy Rule 3015. If this plan includes motions to avoid or modify a lien, the lien avoidance or modification may take place solely within the chapter 13 confirmation process. The plan confirmation order alone will avoid or modify the lien. The debtor need not file a separate motion or adversary proceeding to avoid or modify a lien based on value of the collateral or to reduce the interest rate. An affected lien creditor who wishes to contest said treatment must file a timely objection and appear at the confirmation hearing to prosecute same.

**THIS PLAN:**

☐ DOES ☒ DOES NOT CONTAIN NON-STANDARD PROVISIONS. NON-STANDARD PROVISIONS MUST ALSO BE SET FORTH IN PART 10.

☐ DOES ☒ DOES NOT LIMIT THE AMOUNT OF A SECURED CLAIM BASED SOLELY ON VALUE OF COLLATERAL, WHICH MAY RESULT IN A PARTIAL PAYMENT OR NO PAYMENT AT ALL TO THE SECURED CREDITOR. SEE MOTIONS SET FORTH IN PART 7, IF ANY.

☐ DOES ☒ DOES NOT AVOID A JUDICIAL LIEN OR NONPOSSESSORY, NONPURCHASE-MONEY SECURITY INTEREST. SEE MOTIONS SET FORTH IN PART 7, IF ANY.

Initial Debtor(s)' Attorney: JKC

Initial Debtor: [Signature]

Initial Co-Debtor: \_\_\_\_\_

**Part 1: Payment and Length of Plan**

a. The debtor shall pay \$ 106.00\*\* per month to the Chapter 13 Trustee, starting on January 1, 2018 for approximately 56 months.

b. The debtor shall make plan payments to the Trustee from the following sources:

☒ Future earnings

☐ Other sources of funding (describe source, amount and date when funds are available):

c. Use of real property to satisfy plan obligations:

☒ Sale of real property

Description: 31 Legend Hills Dr., Edgewater NJ 07020

Proposed date for completion: December 2018

☐ Refinance of real property:

Description:

Proposed date for completion: \_\_\_\_\_

☐ Loan modification with respect to mortgage encumbering property:

Description:

Proposed date for completion: \_\_\_\_\_

d. ☐ The regular monthly mortgage payment will continue pending the sale, refinance or loan modification.

e. ☒ Other information that may be important relating to the payment and length of plan:

Debtor has paid into plan, \$343 a month from August 1, 2017 to December, 1, 2017. Payment to be reduced temporarily starting January 1, 2018 as a result of Debtor's unemployment. Payments will be adjusted back up to fund plan when Debtor is employed again.

**Part 2: Adequate Protection ☒ NONE**

a. Adequate protection payments will be made in the amount of \$ \_\_\_\_\_ to be paid to the Chapter 13 Trustee and disbursed pre-confirmation to \_\_\_\_\_ (creditor).

b. Adequate protection payments will be made in the amount of \$ \_\_\_\_\_ to be paid directly by the debtor(s) outside the Plan, pre-confirmation to: \_\_\_\_\_ (creditor).

**Part 3: Priority Claims (Including Administrative Expenses)**

a. All allowed priority claims will be paid in full unless the creditor agrees otherwise:

Creditor	Type of Priority	Amount to be Paid
CHAPTER 13 STANDING TRUSTEE	ADMINISTRATIVE	AS ALLOWED BY STATUTE
ATTORNEY FEE BALANCE	ADMINISTRATIVE	BALANCE DUE: \$ 2,125
DOMESTIC SUPPORT OBLIGATION	None	
Internal Revenue Service	Income Taxes	\$5,973.96

b. Domestic Support Obligations assigned or owed to a governmental unit and paid less than full amount:  
Check one:

☒ None

☐ The allowed priority claims listed below are based on a domestic support obligation that has been assigned to or is owed to a governmental unit and will be paid less than the full amount of the claim pursuant to 11 U.S.C.1322(a)(4):

Creditor	Type of Priority	Claim Amount	Amount to be Paid
	Domestic Support Obligations assigned or owed to a governmental unit and paid less than full amount.		

**Part 4: Secured Claims**

**a. Curing Default and Maintaining Payments on Principal Residence:** ☐ NONE

The Debtor will pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the debtor shall pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

Creditor	Collateral or Type of Debt	Arrearage	Interest Rate on Arrearage	Amount to be Paid to Creditor (In Plan)	Regular Monthly Payment (Outside Plan)
Specialized Loan Servicing	31 Legend Hills Dr., Edgewater, NJ 07020 (Mortgage)	\$85,350	0.00	to be paid through the sale of the collateral	to be paid through the sale of the collateral
Legend Hills Condo Association	31 Legend Hills Dr., Edgewater, NJ 07020 (Home Owner's	\$4,419.88	0.00	\$4,419.88	\$268.37

**b. Curing and Maintaining Payments on Non-Principal Residence & other loans or rent arrears:** ☒ NONE

The Debtor will pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the debtor will pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

Creditor	Collateral or Type of Debt	Arrearage	Interest Rate on Arrearage	Amount to be Paid to Creditor (In Plan)	Regular Monthly Payment (Outside Plan)

**c. Secured claims excluded from 11 U.S.C. 506:** ☒ NONE

The following claims were either incurred within 910 days before the petition date and are secured by a purchase money security interest in a motor vehicle acquired for the personal use of the debtor(s), or incurred within one year of the petition date and secured by a purchase money security interest in any other thing of value:

Name of Creditor	Collateral	Interest Rate	Amount of Claim	Total to be Paid through the Plan Including Interest Calculation

**d. Requests for valuation of security, Cram-down, Strip Off & Interest Rate Adjustments ☒ NONE**

1.) The debtor values collateral as indicated below. If the claim may be modified under Section 1322(b)(2), the secured creditor shall be paid the amount listed as the "Value of the Creditor Interest in Collateral," plus interest as stated. The portion of any allowed claim that exceeds that value shall be treated as an unsecured claim. If a secured claim is identified as having "NO VALUE" it shall be treated as an unsecured claim.

**NOTE: A modification under this Section ALSO REQUIRES the appropriate motion to be filed under Section 7 of the Plan.**

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Superior Liens	Value of Creditor Interest in Collateral	Annual Interest Rate	Total Amount to be Paid

2.) Where the Debtor retains collateral and completes the Plan, payment of the full amount of the allowed secured claim shall discharge the corresponding lien.

**e. Surrender ☒ NONE**

Upon confirmation, the stay is terminated as to surrendered collateral only under 11 U.S.C. 362(a) and that the stay under 11 U.S.C 1301 be terminated in all respects. The Debtor surrenders the following collateral:

Creditor	Collateral to be Surrendered	Value of Surrendered Collateral	Remaining Unsecured Debt

**f. Secured Claims Unaffected by the Plan ☒ NONE**

The following secured claims are unaffected by the Plan:

g. Secured Claims to be Paid in Full Through the Plan: <input type="checkbox"/> NONE				
Creditor	Collateral	Total Amount to be Paid Through the Plan		
State of New Jersey Division of Taxation	31 Legend Hills Dr., Edgewater	\$1,397.22		
<b>Part 5: Unsecured Claims <input checked="" type="checkbox"/> NONE</b>				
<p>a. Not separately classified allowed non-priority unsecured claims shall be paid:</p> <p><input type="checkbox"/> Not less than \$ _____ to be distributed <i>pro rata</i></p> <p><input type="checkbox"/> Not less than _____ percent</p> <p><input checked="" type="checkbox"/> <i>Pro Rata</i> distribution from any remaining funds</p> <p>b. Separately classified unsecured claims shall be treated as follows:</p>				
Creditor	Basis for Separate Classification	Treatment	Amount to be Paid	
<b>Part 6: Executory Contracts and Unexpired Leases <input type="checkbox"/> NONE</b>				
<p>(NOTE: See time limitations set forth in 11 U.S.C. 365(d)(4) that may prevent assumption of non-residential real property leases in this Plan.)</p> <p>All executory contracts and unexpired leases, not previously rejected by operation of law, are rejected, except the following, which are assumed:</p>				
Creditor	Arrears to be Cured in Plan	Nature of Contract or Lease	Treatment by Debtor	Post-Petition Payment
Bruce Elia, Jr. Keller William Realty Group	n/a	listing agreement for sale of property	REJECTED	n/a

**Part 7: Motions ☒ NONE**

**NOTE:** All plans containing motions must be served on all potentially affected creditors, together with local form, *Notice of Chapter 13 Plan Transmittal*, within the time and in the manner set forth in D.N.J. LBR 3015-1. A *Certification of Service, Notice of Chapter 13 Plan Transmittal and valuation* must be filed with the Clerk of Court when the plan and transmittal notice are served.

**a. Motion to Avoid Liens Under 11. U.S.C. Section 522(f). ☐ NONE**

The Debtor moves to avoid the following liens that impair exemptions:

Creditor	Nature of Collateral	Type of Lien	Amount of Lien	Value of Collateral	Amount of Claimed Exemption	Sum of All Other Liens Against the Property	Amount of Lien to be Avoided

**b. Motion to Avoid Liens and Reclassify Claim from Secured to Completely Unsecured. ☐ NONE**

The Debtor moves to reclassify the following claims as unsecured and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Superior Liens	Value of Creditor's Interest in Collateral	Total Amount of Lien to be Reclassified

**c. Motion to Partially Void Liens and Reclassify Underlying Claims as Partially Secured and Partially Unsecured.** ☐ NONE

The Debtor moves to reclassify the following claims as partially secured and partially unsecured, and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Amount to be Deemed Secured	Amount to be Reclassified as Unsecured

**Part 8: Other Plan Provisions**

**a. Vesting of Property of the Estate**

- ☒ Upon confirmation  
☐ Upon discharge

**b. Payment Notices**

Creditors and Lessors provided for in Parts 4, 6 or 7 may continue to mail customary notices or coupons to the Debtor notwithstanding the automatic stay.

**c. Order of Distribution**

The Standing Trustee shall pay allowed claims in the following order:

- 1) Ch. 13 Standing Trustee commissions
- 2) Administrative
- 3) Secured
- 4) Priority/Unsecured

**d. Post-Petition Claims**

The Standing Trustee ☐ is, ☒ is not authorized to pay post-petition claims filed pursuant to 11 U.S.C. Section 1305(a) in the amount filed by the post-petition claimant.



**Part 9: Modification ☐ NONE**

If this Plan modifies a Plan previously filed in this case, complete the information below.

Date of Plan being modified: July 19, 2017

Explain below why the plan is being modified:

Treat claims and reduce the debtor's monthly payment temporarily; reject contract with realtor, Bruce Elia, Jr.

Explain below how the plan is being modified:

Internal revenue as a priority claim; state of new jersey taxation added as a secured claim, HOA associatio, Legend Hills, added to cure section, payment reduced to \$106 staring January 1, 2018

Are Schedules I and J being filed simultaneously with this Modified Plan? ☒ Yes ☐ No

**Part 10: Non-Standard Provision(s): Signatures Required**

Non-Standard Provisions Requiring Separate Signatures:

☒ NONE

☐ Explain here:

Any non-standard provisions placed elsewhere in this plan are void.

The Debtor(s) and the attorney for the Debtor(s), if any, must sign this Certification.

I certify under penalty of perjury that the plan contains no non-standard provisions other than those set forth in this final paragraph.

Date: 12/29/17

Spencer K. Cresswell  
Attorney for the Debtor

Date: 12/29/17

Shahana Shah  
Debtor


Date: \_\_\_\_\_

\_\_\_\_\_  
Joint Debtor

**Signatures**

The Debtor(s) and the attorney for the Debtor(s), if any, must sign this Plan.

Date: 12/29/17

  
Attorney for the Debtor

I certify under penalty of perjury that the above is true.

Date: 12/29/17

  
Debtor

Date: \_\_\_\_\_

\_\_\_\_\_  
Joint Debtor

**Certificate of Notice Page 11 of 12**  
 United States Bankruptcy Court  
 District of New Jersey

In re:  
 Shabnam D Shah  
 Debtor

Case No. 17-24300-JKS  
 Chapter 13

**CERTIFICATE OF NOTICE**

District/off: 0312-2

User: admin  
 Form ID: pdf901

Page 1 of 2  
 Total Noticed: 43

Date Rcvd: Jan 05, 2018

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jan 07, 2018.

db +Shabnam D Shah, 31 Legend Hills Dr, Edgewater, NJ 07020-2124  
 aty +Kimberly Bailey Borek, 163 Cranbury Rd., Ste. 101, Princeton Junction, NJ 08550-1246  
 516942593 Advanced Collections, Inc, Po Box 6031, Clifton, NJ 07015-6031  
 516942594 Asset Maximization Group, Inc, Debt Collection Agency, Po Box 190191,  
 South Richmond Hill, NY 11419-0191  
 516942595 B&B Collections Inc, PO Box 2137, Toms River, NJ 08754-2137  
 516942596 Borough of Edgewater Ambulance, Po Box 207, Allentown, PA 18105-0207  
 516942598 +Capital One, Attn: Bankruptcy, Po Box 30253, Salt Lake City, UT 84130-0253  
 516942599 Celentano, Stadtmauer & Walentowicz, LLP, Attorneys at Law, 1035 Route 46 East,  
 PO Box 2594, Clifton, NJ 07015-2594  
 516942600 +Chase Card Services, Attn: Correspondence, Po Box 15278, Wilmington, DE 19850-5278  
 516942601 +Clinical Neurophysiology & Epilepsy, 725 River Road Suite 55, Edgewater, NJ 07020-1121  
 516942602 +Comenity Bank/Pier 1, Attn: Bankruptcy, Po Box 182125, Columbus, OH 43218-2125  
 516942603 +Comenity Bank/Victoria Secret, Attn: Bankruptcy, Po Box 182125, Columbus, OH 43218-2125  
 516942604 East Bergen Imaging LLC, PO Box 3221, Indianapolis, IN 46206-3221  
 516942605 +Emergency Physicians of Englewood, PC, PO Box 3266, Indianapolis, IN 46206-3266  
 517163727 +Englewood Hospital & Medical Center, c/o Celentano, Stadtmauer & Walentowicz,,  
 1035 Route 46 East, P.O. Box 2594, Clifton, NJ 07015-2594  
 516942607 +Englewood Hospital and Medical Center, Po Box 48304, Newark, NJ 07101-8504  
 516942606 +Englewood Hospital and Medical Center, 350 Engle Street, Englewood, NJ 07631-1898  
 516942608 +Englewood Pathologist PA, Po Box 3245, Indianapolis, IN 46206-3245  
 516942609 +Foremost Management Corporation, 1 E Central Blvd, Palisades Park, NJ 07650-1708  
 516942610 +Fusion Diagnostics Laboratorie, 210 Malapardis Road, Cedar Knolls, NJ 07927-1121  
 516942611 Internal Revenue Service, PO Box 931000, Louisville, KY 40293-1000  
 516978795 +Legend Hills Condo Assoc., Attn: Kimberly Bailey Borek, 163 Cranbury Rd. Ste. 101,  
 Princeton Junction, NJ 08550-1246  
 516942612 +Lidia Shajenko, MD, 725 River Rd Suite 55, Edgewater, NJ 07020-1121  
 516942613 +MGI Financial Services, LLC, PO Box 1326, South Plainfield, NJ 07080-7320  
 516942614 +Parker McCay P.A., 9000 Midlantic Drive, Suite 300, Po Box 5054,  
 Mount Laurel, NJ 08054-5054  
 516942615 RMB, Inc, Attn: Payment Processing, 409 Bearden Park Circle, Knoxville, TN 37919-7448  
 516942617 +RWJ Rahway Workplace & Ambulatory Med, Po Box 780651, Philadelphia, PA 19178-0651  
 516942619 +RWJUH Rahway, 865 Stone Street, Rahway, NJ 07065-2742  
 516942616 +Robert Wood Johnson University at Rahway, 865 Stone Street, Rahway, NJ 07065-2742  
 517126711 ++STATE OF NEW JERSEY, DIVISION OF TAXATION BANKRUPTCY UNIT, PO BOX 245,  
 TRENTON NJ 08646-0245  
 (address filed with court: State of New Jersey, Department of Treasury,  
 Division of Taxation, PO Box 245, Trenton, NJ 08695-0245)  
 516942620 +Specialized Loan Servicing/SLS, Attn: Bankruptcy, Po Box 636005, Littleton, CO 80163-6005  
 516991744 +U.S. Bank National Association, Trustee (See 410), c/o Specialized Loan Servicing LLC,  
 8742 Lucent Blvd, Suite 300, Highlands Ranch, Colorado 80129-2386  
 516942623 Virtual Radiologic Corporation, PO Box 371863, Pittsburgh, PA 15250-7863  
 516942624 +Wells Fargo Bank, Mac F82535-02f, Po Box 10438, Des Moines, IA 50306-0438  
 517087911 Wells Fargo Bank, N.A., Wells Fargo Card Services, PO Box 10438, MAC F8235-02F,  
 Des Moines, IA 50306-0438

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.  
 smg E-mail/Text: usanj.njbankr@usdoj.gov Jan 05 2018 23:03:03 U.S. Attorney, 970 Broad St.,  
 Room 502, Rodino Federal Bldg., Newark, NJ 07102-2534

smg +E-mail/Text: ustpreion03.ne.ecf@usdoj.gov Jan 05 2018 23:02:59 United States Trustee,  
 Office of the United States Trustee, 1085 Raymond Blvd., One Newark Center, Suite 2100,  
 Newark, NJ 07102-5235  
 516942597 +E-mail/Text: clientrep@capitalcollects.com Jan 05 2018 23:03:55 Capital Collections,  
 Po Box 150, West Berlin, NJ 08091-0150  
 516991235 +E-mail/Text: cio.bncmail@irs.gov Jan 05 2018 23:02:41 Internal Revenue Service,  
 PO Box 7346, Philadelphia, PA 19101-7346  
 517107867 E-mail/PDF: PRA\_BK2\_CASE\_UPDATE@portfoliorecovery.com Jan 05 2018 23:17:40  
 Portfolio Recovery Associates, LLC, c/o Capital One Bank, N.a., POB 41067,  
 Norfolk VA 23541  
 517127924 E-mail/Text: bnc-quantum@quantum3group.com Jan 05 2018 23:02:55  
 Quantum3 Group LLC as agent for, MOMA Funding LLC, PO Box 788, Kirkland, WA 98083-0788  
 516942618 +E-mail/Text: rwjebn@rwjbh.org Jan 05 2018 23:03:47 RWJUH Rahway, PO Box 1515,  
 Elizabeth, NJ 07207-1515  
 516942622 +E-mail/Text: bankruptcydepartment@tsico.com Jan 05 2018 23:03:38 Transworld Systems Inc,  
 507 Prudential Road, Horsham, PA 19044-2308

TOTAL: 8

\*\*\*\*\* BYPASSED RECIPIENTS (undeliverable, \* duplicate) \*\*\*\*\*

District/off: 0312-2

User: admin  
Form ID: pdf901

Page 2 of 2  
Total Noticed: 43

Date Rcvd: Jan 05, 2018

516942621\* ++STATE OF NEW JERSEY, DIVISION OF TAXATION BANKRUPTCY UNIT, PO BOX 245,  
TRENTON NJ 08646-0245  
(address filed with court: State of New Jersey, Division of Taxation,  
Federal Offset Program, PO Box 283, Trenton, NJ 08695-0283)

TOTALS: 0, \* 1, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address  
pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Jan 07, 2018

Signature: /s/Joseph Speetjens

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## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on December 29, 2017 at the address(es) listed below:

Denise E. Carlon on behalf of Creditor NBS Specialized Loan Servicing LLC  
dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com  
Denise E. Carlon on behalf of Creditor U.S. Bank National Association, as Trustee relating to  
Chevy Chase Funding LLC Mortgage Backed Certificates Series 2007-1 dcarlon@kmlawgroup.com,  
bkgroup@kmlawgroup.com  
Denise E. Carlon on behalf of Creditor U.S. Bank National Association, as Trustee Et Al...  
dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com  
Jenee K. Ciccarelli on behalf of Debtor Shabnam D Shah jeneeciccarelli.fitzlaw@gmail.com,  
nadiafinancial@gmail.com  
Marie-Ann Greenberg magecf@magtrustee.com  
Nicholas Fitzgerald on behalf of Debtor Shabnam D Shah nickfitz.law@gmail.com  
U.S. Trustee USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 7